

# ***Safe to Report Act***

***Co-led by Reps. Speier and Bacon and Senators Gillibrand and Grassley***

The *Safe to Report Act* would create a military-wide “Safe to Report” policy to make it easier for sexual assault survivors to come forward.

## **Why is this bill needed?**

Currently, fear of punishment or retaliation for minor collateral misconduct dissuades sexual assault victims from reporting. Infractions like curfew violations or underage drinking should not stand in the way of providing assault survivors with needed services or prosecuting perpetrators.

This policy would encourage survivors to come forward and show that the military makes combatting sexual assault a priority. As the number of sexual assaults across the military continues to rise across the military, aggressive actions are needed to further increase reporting and shift the culture.

The U.S. Air Force Academy has successfully used its “Safe to Report” policy to encourage more reporting and shift the culture around assaults.

## **How does it work?**

The bill would empower survivors to report by ensuring that they could not be punished for minor collateral misconduct discovered as a result of the sexual assault investigation or committed around the same time as the sexual assault, unless aggravating circumstances exist.

## **What constitutes minor collateral misconduct?**

The bill defines minor collateral misconduct as:

1. Improper use or possession of alcohol;
2. Consensual intimate behavior or fraternization;
3. Presence in an off-limits area; and
4. Such other misconduct as the Secretary of Defense shall specify.

## **What is the legislative history of this issue?**

Amendments creating a Department-wide “Safe to Report” program written by Rep. Speier and Sen. Gillibrand were included in the House and Senate-passed FY20 NDAAAs, but were removed during final conference negotiations.